

1 ERSKINE & TULLEY
A PROFESSIONAL CORPORATION
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4 Attorneys for Plaintiffs
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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
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11 BOARD OF TRUSTEES OF THE SHEET)	NO. C 04 0231 SBA (WDB)
METAL WORKERS, et al.,)	
)	
Plaintiffs,)	CORRECTED PROPOSED
)	<u>ORDER OF EXAMINATION</u>
vs.)	
)	
CLIMATE INDUSTRIAL INC, et. al.,)	
)	
Defendant.)	
)	

17 To: Climate Industrial Inc., Judgment Debtor
P.O. Box 4753
18 Hayward, CA 94540

19 You the above named judgment debtor ARE HEREBY ORDERED to
20 appear personally on December 12, 2005 at 9:00 a.m. at 1301 Clay
21 Street, Oakland, CA, Conference Room 4, before the Magistrate Judge
22 Wayne D. Brazil then and there to be examined on oath concerning your
23 property or other matters material to the proceedings.

24 You are ordered to bring with you the following documents:

- 25 1. The corporation's bylaws, share register and minute
26 book;
27 2. Title documents to all equipment and vehicles of debtor;
28 3. All lists and schedules of rented, leased and owned

1 equipment of debtor;

2 4. Copies of all real property and personal property leases
3 wherein debtor is a party;

4 5. Copies of all tax bills, deeds, contracts, deeds of
5 trust or deposit receipts relating to all real and personal property
6 in which any interest is held;

7 6. Annual Financial Statements for the 2004 and 2005 and
8 all monthly financial statements for the same period;

9 7. Federal tax returns for the last three years;

10 8. All bank statements, deposit slips and canceled checks
11 for all accounts for 2004 and 2005;

12 9. The last tax return filed with the Franchise Tax Board;

13 10. Copies of all purchase orders, change orders accepted
14 bids, and contracts which relate in any way to work performed by
15 debtor during the period from January 1, 2004 to date;

16 11. All accounts receivable lists generated by the Company
17 from 2004 and 2005 to date;

18 12. Cash Disbursement Journals for 2004 and 2005;

19 13. All documents related to any loans to debtor or by
20 debtor by any present or former shareholders, officers or employees
21 of debtor;

22 14. All documents related to any completed, pending or
23 failed sale of substantially all corporate assets during the last
24 three years.

25 15. All personal guarantees made by any officer, agent or
26 shareholder for the benefit of debtor.

27 NOTICE TO JUDGMENT DEBTOR. IF YOU FAIL TO APPEAR AT THE
28 TIME AND PLACE SPECIFIED IN THIS ORDER, YOU MAY BE SUBJECT TO ARREST

1 AND PUNISHMENT FOR CONTEMPT OF COURT AND THE COURT MAY MAKE AN ORDER
2 REQUIRING YOU TO PAY THE REASONABLE ATTORNEYS' FEES INCURRED BY THE
3 JUDGMENT CREDITOR IN THIS PROCEEDING.

4 Dated: 11-14-05

5
6 Magistrate Wayne D. Brazil

